

## **REMARKS/ARGUMENTS**

The Applicants have carefully considered this Application in connection with the Examiner's Action and respectfully request reconsideration of this Application in view of the foregoing amendment and the following remarks.

The Applicants originally submitted Claims 1-20 in the Application. The Applicants have amended Claims 1, 8, and 15 in the present Amendment. Accordingly, Claims 1-20 are currently pending in the Application.

### **I. Rejection of Claims 1-4, 6-11, 13-18 and 20 under 35 U.S.C. §103**

The Examiner has rejected Claims 1-4, 6-11, 13-18 and 20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2002/0085578 to Dell, *et al.* ("Dell") in view of U.S. Publication No. 2001/0050916 to Krishna, *et al.* ("Krishna"). The Examiner has rejected Claims 5, 12 and 19 under 35 U.S.C. §103(a) as being unpatentable over Dell in view Krishna in further view of U.S. Patent No. 6,975,638 to Chen, *et al.* ("Chen").

Claim 1 is generally directed to a non-blocking crossbar. The non-blocking crossbar comprises n inputs, n numbering at least two. The non-blocking crossbar further comprises n outputs, each of the outputs having a destination first-in, first-out buffer (FIFO) and n crossbar FIFOs interposing corresponding ones of the n inputs and the destination FIFO. The non-blocking crossbar also comprises a scheduler configured to cause a plurality of packets *that are unencapsulated, unsegmented and of differing lengths* to be transmitted from one of the inputs toward one of the outputs only when both the destination FIFO associated therewith and an interposing one of the

crossbar FIFOs have sufficient memory to *contain an entirety of an unencapsulated packet, which is unsegmented.* (Emphasis added).

As discussed in previous Amendments for the above Application, filed June 7, 2006, Dell is directed a switching stage that employs crossbar devices. (*See page 2, paragraph [0013]*). In Dell, the “switch fabric of the present invention is a cell-switching engine handling *fixed-sized* switching cells.” (*See page 6, paragraph [0090]*). Dell uses one or more crossbars to achieve scalability in self-routing of cells. (*See page 2, paragraph [0012]*). Krishna is also directed to cell switching. (Abstract). Chen is directed to interleaved weighted fair data packet queue sentencing. (Abstract).

As also discussed in the previous Amendment, in Dell, “[a] switching cell has a header and a payload. The payload size is programmable... The term ‘programmable’ implies that ... the particular payload size is selected when the fabric switch is initially configured. Once the switch fabric is configured, the payload size remains fixed for all subsequent switch fabric operations.” (*See page 6, paragraph [0090]; emphasis added*).

The Applicants respectfully states that the switching cells of Dell are not the unencapsulated, unsegmented packets of differing lengths as claimed in Claim 1.

The Examiner has cited Dell for the proposition that:

Dell et al discloses that the packets are unsegmented and of differing lengths (*See page 6 of paragraphs 90-92 of Dell et al. for reference to encapsulating packets of variable size into switching cells* to be transmitted through the switch fabric, and for reference for choosing a switching cell size such that packets do not need to be segmented into multiple cells (*See Examiner's Action, page 3; emphasis added*.)

In paragraph [0091], Dell states:

[0091] Protocol independence is achieved by *encapsulating user data packets into the payload of switching cells*. This encapsulation function is provided by network

processors on the line cards. When user data packets are larger than the switching cell size, the encapsulation function involves dividing each user data packet into two or more different switching cells. (Emphasis added.)

However, the as the above language of Claim 1 recites, the plurality of packets of differing lengths are *unencapsulated* and unsegmented. Dell, on the other hand, *encapsulates* data packets into the payload of switching cells. Nor has the Examiner cited the remaining references for curing the deficiencies of Dell regarding this claim language.

The Applicants respectfully assert that the cited references do not support the Examiner's rejection under 35 U.S.C. §103(a) of Claim 1 and its dependent claims, when considered as a whole. Nor, for analogous reasons, do the cited references support the Examiner's rejection under 35 U.S.C. §103(a) of Claims 8 and 15 and their dependent claims, when considered as a whole. Therefore the Examiner has not presented a *prima facie* case of obviousness. The Applicants therefore respectfully request the Examiner withdraw the rejection of Claims 1-20 and allow issuance thereof.

## II. Conclusion

In view of the foregoing Amendment and remarks, the Applicants now see all of the claims currently pending in this Application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-20. Applicants, however, reserve the right to traverse arguments or characterizations in the present Examiner's Action that are not specifically addressed in the present Amendment.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present Application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, P.C.



David H. Hitt  
Registration No. 33,182

Dated: October 2, 2007

P.O. Box 832570  
Richardson, Texas 75083  
(972) 480-8800